

## NINTH DAY

(Tuesday, March 30, 1954)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moffett
Ashley	Moore
Bell	Parkhouse
Bracewell	Phillips
Colson	Rogers
Corbin	of Childress
Fuller	Rogers of Travis
Hardeman	Rutherford
Hazlewood	Sadler
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Weinert
Martin	Willis
McDonald	

Absent—Excused

Russell

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leave of Absence

Senator Russell was granted leave of absence for today on account of important business, on motion of Senator Bell.

## Senate Resolution 31

Senator Bracewell offered the following resolution:

Whereas, Jerry Secrest, son of our esteemed colleague, The Honorable Jarrard Secrest, Senator from Bell, is visiting in the Senate today; and

Whereas, It is the desire of the Senate to honor our guest; now, therefore, be it

Resolved, By the Senate of Texas, That Jerry Secrest be made an Honorary Page for the day and that a copy of this Resolution be sent to him under the official seal of the Senate.

The resolution was read and was adopted.

## Senate Concurrent Resolution 6

Senator Sadler offered the following resolution:

S. C. R. No. 6, Designating Edward, James and George Taylor as persons for whom Taylor County was named.

Whereas, The Act of the 7th Legislature of 1858 creating Taylor County does not mention the name of any man or men for whom the county was named; and

Whereas, In the intervening years many writers have attempted to supply the missing name by indulging in guesswork, naming various Taylors, unsupported by official proof of their statements; and

Whereas, Many of the citizens of Taylor County are desirous of settling this question for all time and desire to name members of a Taylor family to honor whose patriotism and heroism in our struggle for independence will reflect honor on them and on Taylor County and the State of Texas; and

Whereas, No other family is known in the early history of Texas where three brothers fought and died in the same battle and on the same day, in our struggle for independence from Mexico; and

Whereas, The John Hudnall Chapter of the United States Daughters of 1812, the Abilene Chamber of Commerce, and the Commissioners' Court of Taylor County have requested that this Legislature officially designate the three heroic brothers of Liberty, Texas, who died at the Alamo, Edward, James and George Taylor, as the men for whom they wish the county to be named; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That Edward, James and George Taylor, heroes of the Alamo, are hereby officially designated as the persons for whom Taylor County was named.

SADLER

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moore, Moffett, Parkhouse, Phillips,

Rogers of Travis, Rogers of Childress, Russell, Rutherford, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Hardeman, the names of the Lieutenant Governor and all of the Senators were added to the resolution as signers thereof.

On motion of Senator Sadler, and by unanimous consent, the resolution was considered immediately and was adopted.

#### Report of Standing Committee

Senator Lane submitted the following report:

Austin, Texas,  
March 30, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: your Committee on Civil Jurisprudence, to whom was referred S. B. No. 5, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. S. B. No. 5 was read first time.

#### Senate Resolution 32

Senator Latimer offered the following resolution:

Whereas, We are honored today to have in the gallery the Junior and Senior Classes of Luther Burbank High School of San Antonio, accompanied by their teachers, B. R. Lafferty and Mrs. Gertrude Schrader; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal

of the Senate, be mailed to them in recognition of their visit.

LATIMER  
ASHLEY

The resolution was read and was adopted.

Senator Latimer presented the students and Mrs. Schrader and Mr. Lafferty to the Members of the Senate.

#### Senate Resolution 33

Senator Aikin offered the following resolution:

Whereas, A long and colorful public career was terminated January 29, 1954, when Representative Samuel Jackson Isaacks, beloved and esteemed Member of the House of Representatives and Dean of the Texas Legislature, tendered his resignation to Governor Shivers because of ill health; and

Whereas, It is with deep and sincere regret that his associates, both in the House and the Senate, and his many devoted friends throughout the State, see this distinguished statesman who has given more than fifty years of unselfish, patriotic service to his State retire from active participation in the affairs of the Legislature.

Judge Isaacks is truly a gentleman of the old school whose ideals were men like Jim Hogg, William Jennings Bryan and Tom Campbell, and who found guidance in our State's Constitution rather than in the pressure of various groups. He is an ardent student of Texas History and Government, and an unassuming gentleman whose wise and unselfish counsel to younger and inexperienced Members of the Legislature endeared him to all. Judge Isaacks is a man whose rich experience in understanding, contacting and knowing the needs of his people was reflected in faithful, continued service to his constituents; and

Whereas, Enriched by heritage from his ancestors, Judge Isaacks studied law and was admitted to the Bar in 1902, and began more than a half century of conscientious service to fellow Texans when he became Secretary of the City of Elgin in Bastrop County, where he was first elected to membership in the Twenty-eighth Legislature in 1903; that year, upon advice of his physician who said he

might live "five or six years longer" by careful living, he moved to Midland, Texas, to practice his chosen profession and was Mayor of that city in 1906, the year he succeeded in swinging the action of the State Convention to nominate Tom Campbell as governor; and

Whereas, In 1909 Governor Campbell, in recognition of his ability and in appreciation of his loyalty to him, appointed Judge Isaacks Judge of the new 70th Judicial District of Texas, embracing nine West Texas counties, thus launching his outstanding career on the bench never exceeded for its justice, fairness, mercy and spirit of humanitarian interest in his fellow men. He was elected by the people to retain the District Judgeship in 1910 and again in 1914, but resigned in 1917 to enter private law practice in El Paso, Texas, where he has since lived; and

Whereas, His interest in political matters continued and in 1920 he served as a presidential elector. In 1938, acceding to the wishes of his constituents, he became a candidate for Representative of his district and was elected to the Forty-sixth Legislature. He served on many committees in this and subsequent legislatures, notably the Judiciary, for which his education and experience on the bench qualified him so well. He served on the Texas Civil Judicial Council, ex-officio, as Chairman of the Judiciary Committee, four times.

Whereas, Judge Isaacks is a statesman of distinction and ability whose success in life is measured in terms of services; a man of broad judgment, clear vision and deep understanding; a man whose sympathetic understanding of human nature endeared him to his fellow men and whose influence in shaping the policies of our State will be keenly missed by his colleagues in the Legislature; and whose daughter, Miss Maud Isaacks, was chosen by the constituents of his district to carry on for his unexpired term the activities of her father; now, therefore, be it

Resolved, By the Senate of the Fifty-third Legislature, That as a tribute to his outstanding public career and as a testimonial of our sincere appreciation of one of the finest characters and most able men who has ever served in this Legislature, that we adopt this resolution by a rising vote and extend to Judge

Isaacks a permanent and express invitation to visit the Senate of Texas each and every time he may find it convenient, and a copy of this resolution be mailed to him at his home in El Paso.

**AIKIN  
HARDEMAN  
RUTHERFORD**

Signed—Ben Ramsey, Lieutenant Governor; Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moore, Moffett, Parkhouse, Phillips, Rogers of Travis, Rogers of Childress, Russell, Sadler, Secrest, Shireman, Strauss, Wagon-seller, Weinert, Willis.

The resolution was read.

On motion of Senator Kelley, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Members of the Senate.

#### Senate Resolution 34

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the San Saba High School Senior Civics Class, accompanied by their teacher, Miss Helen Lidstone; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day, and that each member of this class be furnished with a copy of this resolution.

The resolution was read and was adopted.

Senator Ashley presented the students and Miss Lidstone to the Members of the Senate.

#### Resolution Signed

The President signed, in the presence of the Senate, after the caption had been read, the following enrolled resolution:

H. C. R. No. 4, Relative to per diem of Members.

**Message from the House**

Hall of the House of Representatives,  
Austin, Texas,  
March 30, 1954.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. No. 17, Relative to medal of honor presented to Second Lieutenant George H. O'Brien, Jr., United States Marine Corps Reserve, by the President of the United States, in the name of Congress.

Respectfully submitted,

CLARENCE JONES,

Chief Clerk,

House of Representatives.

**House Concurrent Resolution 17 on Second Reading**

The President laid before the Senate, on its second reading, the following resolution:

H. C. R. No. 17, Relative to medal of honor presented to Lieutenant George H. O'Brien, Jr., United States Marine Corps, by President of United States.

The resolution was read.

On motion of Senator Sadler, and by unanimous consent, the resolution was considered immediately and was adopted.

**Senate Resolution 35**

Senator Shireman offered the following resolution:

Whereas, We will be honored today to have in the gallery of the Senate the following students:

Merle Acker, Jennell Allen, Jenine Allen, Leonides Aguayo, Jerome Arnold, Jimmie Dale Albrecht, Gladys Alpizar, Herman Blahuta, Maurice Bernsen, Elias Borjas, Doris Jean Brown, Tomasa Castillo, Zula Cates, Mary Etta Cooke, Wayne Cross,

Betty Deckert, Charles Dittlinger, Santos Elizondo, Dorcille Emshoff, Edward Floyd, Virginia Fussell, Teddy Gallagher, Blanca Garcia, Eloise Garcia, Herminia Garza, Oleomar Gonzales, Ronnie Harwell, Merry Haskett, Bertha Hernandez, Felecita Hernandez, Clementine Hoelscher, Aloysius Hoelscher, David Hoelscher, Charles Hoelscher, Karl Hoelscher, Marian Hoelscher, Joanne Jackson, Maurice Kubena, Martha Land, Ruth Lorfin, Mary McCown, Virgil Maittler, George Malik, Mike Maloy, Mary Marroquin, Milton Menn, Juan Mendez, Margaret Moore, Alfred Obregon, Dan Pena, Agapito Perez, Marian Powell, James Pohlmeier, Bill Quinlan, Beatrice Ramirez, Mary Lou Ramirez, Jesus G. Ramirez, Esther Sanchez, Ernest Serna, Ronnie Smith, Billy Joe Stieger, Betty Stephens, Sue Ann Tubbs, Rosa Vargas, Ruben Vidaurri, Tena Wood, Suzanne Wright, who are members of the Texas History classes of the Robstown High School, Robstown, Texas; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These young American citizens are here to observe the workings of the State government; now, therefore, be it

Resolved, That the above-named individuals, together with their teacher, Mrs. Fred B. Norris, and the other individuals accompanying them, be officially welcomed and recognized by the Senate, and that they be commended for their interest in our government, and that each member be furnished with a copy of this resolution.

The resolution was read and was adopted.

**Adjournment**

On motion of Senator Hardeman, the Senate, at 10:54 o'clock a. m., adjourned until 10:30 o'clock a. m. tomorrow.

**In Memory of**  
**Dave H. Culberson**

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Senator Martin offered the following resolution:

(Senate Resolution 27)

Whereas, On the 16th day of March, 1954, God in His infinite wisdom, did call from his earthly labors to his eternal reward one of our outstanding citizens, a distinguished leader in church work and civic endeavors, Dave H. Culberson of Gatesville, Coryell County, Texas; and

Whereas, Dave H. Culberson was born on September 29, 1876, at Myrtle Springs, Van Zandt County, and was brought to Coryell County when a very small child, and he served Coryell County faithfully and with distinction as County Tax Assessor-Collector for sixteen years, earning for himself the affection and notable admiration of the people of that county; and

Whereas, Dave H. Culberson gave generously of his time and energy to the service of the Methodist Church and was Past Master of the Gatesville Masonic Lodge, in addition to his work as a member of the Karem Shrine of Waco; and

Whereas, In the passing of this good man, the County of Coryell and the State of Texas have lost one of their outstanding citizens, and his going will be felt by his surviving relatives and a host of friends; and

Whereas, He is survived by two brothers, the Honorable Olin Culberson, Railroad Commissioner of the State of Texas, and W. L. Culberson, Loveland, Colorado; a sister, Mrs. J. D. Tomlinson of Dallas; four daughters, Mrs. W. B. Schley of Kilgore, Mrs. Joe Whigham of Gatesville, Mrs. C. P. Smith of Paris, Texas, and Miss Dorothy Culberson of Gatesville; and two sons, W. A. Culberson, Gatesville, and Fisher Wells Culberson of Dallas; now, therefore, be it

Resolved, by the Senate of the State of Texas, That we do here and now pay tribute to this Christian gentleman and distinguished Texan, and that we extend our sincere sympathy to the members of his esteemed family; and that a copy of this resolution shall be sent to each of them, and that when the Senate adjourns today it shall do so in tribute to this honored son of Texas.

The resolution was read and was adopted by a rising vote of the Senate.

## In Memory of Tom E. Braniff

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Senator Parkhouse offered the following resolution:

(Senate Resolution 28)

Whereas, In the untimely passing of Tom E. Braniff, of Dallas, from this earthly life on the tenth day of January, 1954, the whole Nation, and in particular the people of Texas and Dallas County, have suffered an irreparable loss; and

Whereas, The people of Texas and Dallas mourn the passing of this good and unselfish business, religious, and civic leader, whose philanthropic and civic work have left an impress on the life of our State and Nation; and

Whereas, Tom E. Braniff, who was born in Kansas in 1883, was for many years an active force for good government in our City, State and Nation, devoting much of his time and energy to the promotion of the public welfare; and

Whereas, Mr. Braniff received high honors in recognition of the many unselfish services rendered to the public. He was National Catholic Co-Chairman of the National Conference of Christians and Jews, and a Knight Commander of the Order of St. Gregory the Great, the highest honor bestowed by the Pope on any Catholic layman; and

Whereas, He was educated in the schools of Kansas City, Missouri; he entered the insurance business in Bridgeport and Oklahoma City, Oklahoma, where he erected the Braniff Building; in 1928 he organized the Braniff Airways, which he headed at the time of his death; and

Whereas, Mr. Braniff was President of the National Association of Casualty and Surety Agents; member of the Foster Parents, which took care of eight children in Europe following World War II; member of the Texas Electoral College, which cast the Texas vote for President Eisenhower; held honorary Doctor of Law Degree from Oklahoma City University and honorary Doctor of Humanities Degree from Southern Methodist University; was chosen Aviation Man of the Year in 1952 by the University of Denver, and Salesman of the Year by the Dallas Executive Sales Club. He was a director of the Dallas Citizens' Council, the Dallas Chamber of Commerce, the Dallas Community Chest, Dallas Grand Opera Association, American Korean Foundation, and was active in the American Cancer Society, the University of Notre Dame Foundation, Our Lady of the Lake College at San Antonio, Texas, Texas Foundation of Voluntarily Supported Colleges and Universities, Institute of International Education, Dallas Pilot Institute for the Deaf, United States Inter-American Council, Lincoln Education Foundation, Circle Ten Boy Scouts, the USO, and numerous other groups; and

Whereas, He was an active member of the Christ The King Catholic Church in Dallas, and for many years traveled in Europe in behalf of the World Brotherhood Organization, and made annual visits to the Vatican, where he was made a Knight of the Order of the Holy Sepulcher and a member of the Knights of Malta; and

Whereas, This great Texan was not only a leader in many worthy projects for the advancement of his City, State, and Nation, he also proved his value as a worker in the ranks in such enterprises; now, therefore, be it

Resolved, That the passing of this outstanding citizen of Texas be fittingly recognized by his fellow Texans, and that when the Senate adjourns today, it do so in respect to the memory of Tom E. Braniff; and be it further

Resolved, That a copy of this Resolution be placed in the Senate Journal and a copy be transmitted to the members of the bereaved family as a token of our sympathy.

PARKHOUSE

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Ashley, Bell, Bracewell, Colson, Corbin, Fuller, Hardeman, Hazlewood, Kazen, Kelley, Lane, Latimer, Lock, Martin, McDonald, Moffett, Moore, Phillips, Rogers of Travis, Rogers of Childress, Russell, Rutherford, Sadler, Secrest, Shireman, Strauss, Wagonseller, Weinert, Willis.

The resolution was read.

On motion of Senator Sadler, the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.

**In Memory of**

**Honorable J. E. Castleberry**

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Senator Aikin offered the following resolution:

(Senate Resolution 29)

Whereas, God, in His infinite wisdom, has called from these earthly labors, the Honorable J. E. Castleberry of Paris, Texas; and

Whereas, Mr. Castleberry was an outstanding citizen of Paris and Lamar County; and

Whereas, He had served for twenty years as County Treasurer of Lamar County, and was a public official of the highest integrity; and

Whereas, He was active in church work, and was a leader in many civic enterprises for the betterment of the community; and

Whereas, The Senate desires to express our deepest sympathy to the members of his family and his multitude of friends; now, therefore, be it

Resolved, That a copy of this resolution be mailed to Mrs. J. Ed Castleberry, Mr. Edmond Castleberry, and Mrs. Rupert Still, and that when the Senate adjourns today, it do so out of respect to the memory of Honorable J. E. Castleberry.

The resolution was read and was adopted by a rising vote of the Senate.

**In Memory of**

**Mr. Newt Walker**

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Senator Aikin offered the following resolution:

(Senate Resolution 30)

Whereas, God, in His infinite wisdom, has called from these earthly labors to his eternal reward, Mr. Newt Walker; and

Whereas, Mr. Walker was an outstanding citizen of Paris and Lamar County; and

Whereas, He had visited in the Capitol and was a guest of the Senate; and

Whereas, He was a great friend to the entire youth of his community, and truly "Gained the respect of intelligent men and the love of little children" during his lifetime; now, therefore, be it

Resolved by the Senate, That a copy of this resolution be mailed to his daughter, Mrs. Ray Walters, and to his son, Frank Walker, and that when the Senate adjourns today that it do so out of respect to the memory of Mr. Newt Walker.

The resolution was read and was adopted by a rising vote of the Senate.